

SURFWATCH UPDATE CRIME PREVENTION WORKSHOP

The next Town of Surfside Crime Prevention Workshop will be held on Wednesday, May 26, 2004, at 6:30 p.m. The 45 minute workshop will be held at the Surfside Community Center, located at 9301 Collins Avenue. Complimentary coffee and refreshments will be provided.

The workshop will feature a speaker, crime prevention strategies, and upcoming community projects. We look forward to facilitating the exchange of ideas and educational opportunities. Let us work together to continue to make Surfside a safe place to live, work, learn and play.

For more information on available SurfWatch programs, or for a free residential or commercial survey, please contact Lieutenant John Madden or Lieutenant Shawn P. O'Reilly at (305) 861-4862.

**Our e-mail address is: Surfsidepd@the-beach.net
Please visit our website at: www.town.surfside.fl.us**

COMMISSION MEETING TUESDAY MAY 11, 2004 AT 8:00PM

TOWN COMMISSION

TIMOTHY WILL.....Mayor
FRANK MCBRIDE.....,Vice Mayor
RUBEN COTOCommissioner
ORESTES JIMENEZCommissioner
STEVEN LEVINE.....Commissioner
Town E-Mailsurfclerk@the-beach.net

TOWN OFFICIALS

EDUARDO RODRIGUEZ.....Town Manager
NANCY FERNANDEZ.....Asst. Town Mgr./Town Clerk
STEPHEN H. CYPENTown Attorney
LAWRENCE BOEMLER.....Police Chief

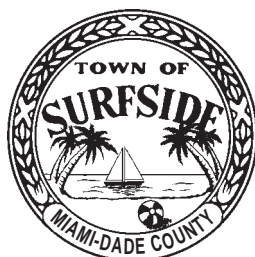
BUSINESS NUMBERS

TOWN HALL(305) 861-4863
COMMUNITY CENTER(305) 866-3635
TENNIS COURTS(305) 866-5176
TOURIST BOARD(305) 864-0722
LIBRARY(305) 865-2409
SURFSIDE POLICE DEPARTMENT(305) 861-4862

**EMERGENCY ONLY
FIRE/POLICE (305) 861-1115
ALL OTHER: (305) 861-4862**

TOWN OF SURFSIDE

P.O. BOX 546853
9293 HARDING AVENUE
SURFSIDE, FLORIDA 33154
www.town.surfside.fl.us



MAY 2004



Surfside^{Town} Gazette

9293 Harding Avenue

Surfside, Florida

May 2004

FROM THE MAYOR'S CORNER

Dear Surfsiders,

As promised, we are getting up to speed:

The new job postings for the Town Building Official and the Recreation Superintendent have been posted. It is my expectation that they should be on staff during this month.

The contract for the new Water Park was approved at a special Commission meeting on April 20th, and I expect for it to be operational by the time school is out. Pool users, I will ask for your indulgence in advance for the construction related activities.

The contract for the traffic control devices has been signed and construction is expected to begin by the first week of May. The Traffic Circles will be installed at the triangle at the intersection of Bay Drive and Emerson Ave, as well as, the heavily used corridor at Byron and 95th. More circles will be constructed as needs are identified.

On another traffic related matter, there is still rampant disregard for the Town's speed limits and stop signs. Anticipating summer vacation, I have asked the Town Manager to direct the Chief of Police to increase enforcement dramatically. Slow down and stop before we have a real tragedy. Our hometown is a unique community, and we need to watch out for each other.

Vice Mayor MacBride and the Parks and Recreation Advisory Committee have scheduled Family Fun Day for the first week in June, with rides, activities, music, food and fun for all Surfside residents at the 96th Street Park. I want to extend my thanks to Committee Members Arnie Notkin, Dana Kulvin, Maria Rubin, Howard

Rennert and Marq Imberman for their enthusiasm and creativity.

In June, DERM will begin to replant the beach dunes. DERM has agreed to allow Surfside volunteers to participate. We have already collected the e-mail address of 25 residents and this does not include the Scouts, Boy, Cub, Girl and Brownie. If you are interested, please join Team Surfside. Write me at surfside@bellsouth.net

You may have read recently that the Town was handed a temporary setback in the defense of its zoning and land ordinance. I have asked our attorney's to prepare a synopsis of where we stand.

"In September, 2000, President Clinton signed the Religious Land Use and Institutionalized Persons Act (RLUIPA), and it became law. It is the subject of nationwide debate and some courts have held it unconstitutional. This new law came into effect after a United States Federal District Court Magistrate Judge had already entered a judgment in July 2000 in favor of Surfside containing numerous findings that the synagogues' case was without merit. The synagogues had filed a nine count complaint against Surfside, and Surfside prevailed on every count. The Federal court, considering the evidence in the light most favorable to the synagogues, specifically found that no testimony was presented showing any discriminatory intent by Surfside. The Court also found that Surfside's laws were an exemplar of narrowly tailoring an ordinance to solve compelling issues in a very small main street-business district.

Because of the new law, Surfside agreed to allow the synagogues to amend their lawsuit, and the synagogues brought

two different RLUIPA claims. Again, the Federal Judge granted judgment in favor of Surfside. The Federal Appeal's Court decision this week only reversed the trial judge on one of the two claims, upholding the trial Judge's decision that the synagogues' claim that Surfside burdened their exercise of religion was unfounded, but finding that Surfside's 44 year old zoning ordinance could not allow private clubs on the second floor of its business district to the exclusion of houses of worship. None of the trial Judge's orders and findings in Surfside's favor on the original 9 count complaint was reversed. The Appeals Court acknowledged that Surfside permits houses of worship in a zoning district which is "in the geographic center of a relatively small municipality, proximate to the business, tourist and residential districts," but read RLUIPA as being a per se rule of strict liability "without regard to any justifications supplied by the zoning authority" that secular and religious places of assembly must be treated on equal terms. RLUIPA itself permits municipalities to amend their zoning laws to cure violations, and the Appeals Court recognized that Surfside had no private clubs in its business district."

The Town's attorneys, the Town Manager and I will be meeting in the near future to discuss our plans going forward.

**Tim Will
Your Mayor**

SURFSIDE COMMISSION HIGHLIGHTS

1. Town Manager's Report

The Town Manager reported on the progress of the dune restoration project on the beach. He explained that the Town is working together with the Miami-Dade County DERM on the re-vegetation of the back side of the walking path area. The planting will begin in June. The Town Manager further explained that there will be no cost to the Town's tax payers for the reinstatement of the native plants, such as sea oats, and the rope and post fencing system.

The Town Manager reported on the progress of hiring the full time Building Official and the Recreation Superintendent, as requested by the Commission.

The Town Manager reported on the progress of the proposed amendment to the franchise agreement with the Village of Bal Harbour with regard to the sanitary sewer disposal.

The Town Manager reported on the proposed offer for settlement with Verzura Construction. The Town Attorney and he recommended that members of the Commission reject the offer at this time. The Town Commission passed a motion to reject the offer.

The Town Manager reported on the replacement of the screen fence at the Surfside Six property. He explained that he received a copy of the contract with proposal to replace the fence.

2. The Town Commission passed an ordinance on second reading, amending the Code of the Town of Surfside, by deleting Section 90-91, Variances generally, in its entirety and adopting a new Section 90-91, Variances.
VOTE: UNANIMOUS

3. The Town Commission passed an ordinance, on second hearing, amending Section 90-184 (1) of the Code of the Town of Surfside providing and granting a variance insofar as Lot 9 and East _ Lot 8, Block 28, Normandy Beach 2nd Amended, Plat Book 16, Page 44, also known as 940 – 88th Street, Surfside, Florida, is concerned, to permit the installation of a boatlift on an existing boat dock with a total water ward projection of twenty-nine (29) feet, five (5) inches, where the projection is limited to twenty (20) feet.
VOTE: UNANIMOUS.

4. Commissioner MacBride was unanimously appointed the Vice Mayor by the members of the Commission.

SUMMER CAMP 2004

Summer Camp 2004 will be held at the Surfside Park, 9572 Bay Drive, beginning Monday, June 14 through Friday, August 6th for children ages 6-12. Proof of age will be required.

Registration for Surfside Residents ONLY will be held on Tuesday, May 4th, through Monday, May 17th, (Including weekends), at the Surfside Community Center. Proof of residence, such as a current electric bill, water bill, deed, lease or child's report card will be required, in addition to a copy of major medical insurance or 24 hour school coverage.

REGISTRATION FEES:

SURFSIDE RESIDENTS: \$300.00 for 8 weeks (including 2 T-Shirts)

The fee is payable in full at registration. Additional fees payable for certain trips reserved in advance must be paid in CASH ONLY at registration.

NON-RESIDENTS: \$600.00 for 8 weeks (including 2 T-Shirts). Registration begins May 18th through May 30th for Bay Harbor/Bal Harbour Campers of 2003 and Surfside Store Owners, for all others May 31th through June 7th.

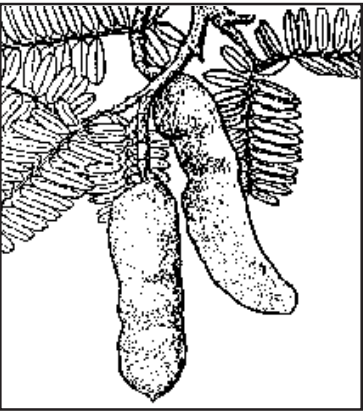
SWIM LESSONS

If you are interested in MOM & ME swimming lessons (Ages 6 mos. – 3 Yrs.) or Beginners (Ages 4 & over) please call the Recreation Department at (305) 866-3635.

RECREATION NEWS

ADOPT-A-TREE PROGRAM

Mark your calendars for July 18th. Surfside will be the location of this year's 4000 tree Adopt-A-Tree Program. This program will serve other Beach Communities, so please get to the Community Center early in the morning to make sure that you get your two trees from among the thousands of Yellow Acacia, Lychee, Carambola and Tamarind available.



UPCOMING EVENTS:

Memorial Day Ceremonies will be held on Monday, May 31, 2004 at Veterans Park, 88th St and Collins Avenue. The event will begin at 10:30 A M and will include a tribute to America, its uniformed services, and all those who served and sacrificed for our country. Special invitation to all veterans and their families. Refreshments will be served immediately afterwards. For more information, please call the Recreation Dept at (305) 866-3635.

**FAMILY FUN DAY AT SURFSIDE PARK, 9572 BAY DRIVE
SUNDAY, JUNE 6TH, FREE FOR ALL SURFSIDE RESIDENTS
FUN-RIDES-BOUNCE HOUSE-WATER SLIDES-DUNK TANK-
PETTING ZOO-MUSIC-BARBEQUE- ETC**

NEWS FROM THE LIBRARY

Storytime for children up to 3 yrs of age, beginning Tuesday, June 8, 2004, 10:30 – 11:30 am
Call the Surf-Bal-Bay Library for further information at (305) 865-2409.

BAYNANZA UPDATE

The Baynanza was, once again, a complete success. Special thanks go to Melissa Moonves for her 6th straight year of coordinating this grand beach cleanup event with DERM.

SURFSIDE COMPOSTING PROGRAM

The Town will be sponsoring classes, “The Science of Composting Organic Materials.” Composting is a process of reducing grass clippings, leaves, yard and kitchen waste into a soil like material that all plants find beneficial. The use of compost will reduce the cost of disposing organic matter in landfills; it improves the tilt, fertility and water retention capacity of your soil. A renowned composting expert will give the class and award the certificates of completion. The certificate will allow the holder to buy a \$60 engineered composter for \$30. Examples of working composters are located on the west side of the pumping station located on the corner of Dickens and 89th. Watch next month's Gazette for more details and the class schedule of the Surfside Composting Program.